

**AGENDA
CONSERVATION COMMISSION
MAY 14, 2020**

**AGENDA ITEM #3A
PERMIT REVIEW**

**JEROME YAROSHEVICH;
328 POVERTY LANE
(Tax Map 188, Lot 47),
zoned RL-1
#CC2020-05**

**CITY OF LEBANON
APPLICATION FOR**

WETLANDS	SPECIAL EXCEPTION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SITE PLAN REVIEW
	VARIANCE	<input type="checkbox"/>	<input type="checkbox"/>	SUBDIVISION
	MOTION FOR REHEARING	<input type="checkbox"/>	<input type="checkbox"/>	LOT LINE ADJUSTMENT
	APPEAL OF AN ADMIN. DECISION	<input type="checkbox"/>	<input type="checkbox"/>	OTHER ()

PROPERTY OWNER (APPLICANT): Yarosh evich

NAME: Jerome Yaroshkevich TEL.#: 603-448-9283

MAILING ADDRESS: 328 Poverty Ln Lebanon, NH 03766

E-MAIL ADDRESS: jerry75@hotmail.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: TEL.#:

MAILING ADDRESS:

E-MAIL ADDRESS:

PROJECT LOCATION:

TAX MAP #: 188-47 LOT#: 47 PLOT #: ZONE: RLI

STREET ADDRESS OF PROJECT: 328 Poverty Ln

IS THIS PROPERTY LOCATED IN THE: WETLANDS ☒ YES ☐ NO HISTORIC DISTRICT ☐ YES ☒ NO
FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:


removal of 9x12 slab + screen - replace with 16x16 sunroom

TYPE OF OCCUPANCY:

EXISTING ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

IF USE IS COMMERCIAL OR INDUSTRIAL, PLEASE NOTE SPECIFIC USE:

SIGNATURE BLOCK:

 DATE: 5/1/20
PROPERTY OWNER

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

DATE: _____
PROPERTY OWNER

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #
05-01-2020	188-47	CC2020-	NA	NA	NA

05

**CITY OF LEBANON, NEW HAMPSHIRE
APPLICATION FOR WETLANDS SPECIAL EXCEPTION
CHECKLIST AND SUPPORT STATEMENT**

I. APPLICATION CHECKLIST

- Cover application
- Abutters list
- Filing fee
- This form, including written responses to the Section 401.5 requirements, outlined below (You can respond in the space provided, or on a separate sheet of paper. Please be prepared to address the requirements with the Zoning Board during your public hearing. You must show that your proposal meets all of the requirements.)
- A wetland delineation plan certified by a Wetland Scientist
- Copy of the State of NH Wetland Permit Application (not required if the project impacts the wetland buffer only).

II. SUPPORT STATEMENT

I hereby request a Wetlands Special Exception pursuant to Article IV, §401.5 of the Zoning Ordinance for the property located at (insert property address) 328 Poverty Ln Lebanon, NH 03766. The project is not located within the High and Very High Value Wetlands according to *Natural Lebanon: Results of the Phase II Natural Resource Inventory of the City of Lebanon, NH (June 2010)* and further depicted in the Lebanon Wetland Overlay District Map.

Upon application to the Zoning Board of Adjustment [...] a special exception may be requested to permit the erection of a structure; the construction of streets, roads, and other access ways; for pipelines, powerlines, and other transmission lines; and the construction of fences, footbridges, catwalks and docks within the Wetlands Conservation District, provided that all of the following conditions are found to exist:

- A. The use for which the exception is sought cannot feasibly, after consideration of all alternatives, be carried out on a portion or portions of the lot which are outside the Wetlands Conservation District:

- B. Due to the provisions of the Wetlands Conservation District, as applied to the particular characteristics, setting and environment of the property, the lot cannot reasonably be used for any of the uses permitted or allowed by special exception, without some form of special exception under this section:

- C. The design and construction of the proposed use is consistent with the purpose and intent of Section 401.1 (A), (B) and (C) of this Ordinance (****see below****), and adequate conservation measures shall be taken to mitigate the detrimental effects of

the proposed use on the natural function of the wetlands. Such measures may include but are not limited to wetland restoration or enhancement, wetland preservation, or the construction and maintenance of new wetland areas adjacent to the proposed use to replace those portions of the natural wetland affected by the proposed use:

- D. The proposed construction design of pipelines, powerlines and other transmission lines shall include provisions for restoration of the site as closely as possible to its original grade and conditions:

- E. The proposed use shall not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of ground water, or any other reason:

- F. The project is capable of complying with all State and Federal wetlands and wetlands permitting requirements:

Note: Applications for required Federal and State wetland permits need not have been applied for, but a zoning permit shall not be issued until all such permits have been granted.

- G. The project is capable of conforming to all existing best management practices, as referenced in Appendix A, and will be implemented in a way which conforms to those practices, and which complies with any other conditions imposed by the Zoning Board of Adjustment:

Section 401.1 Purposes.

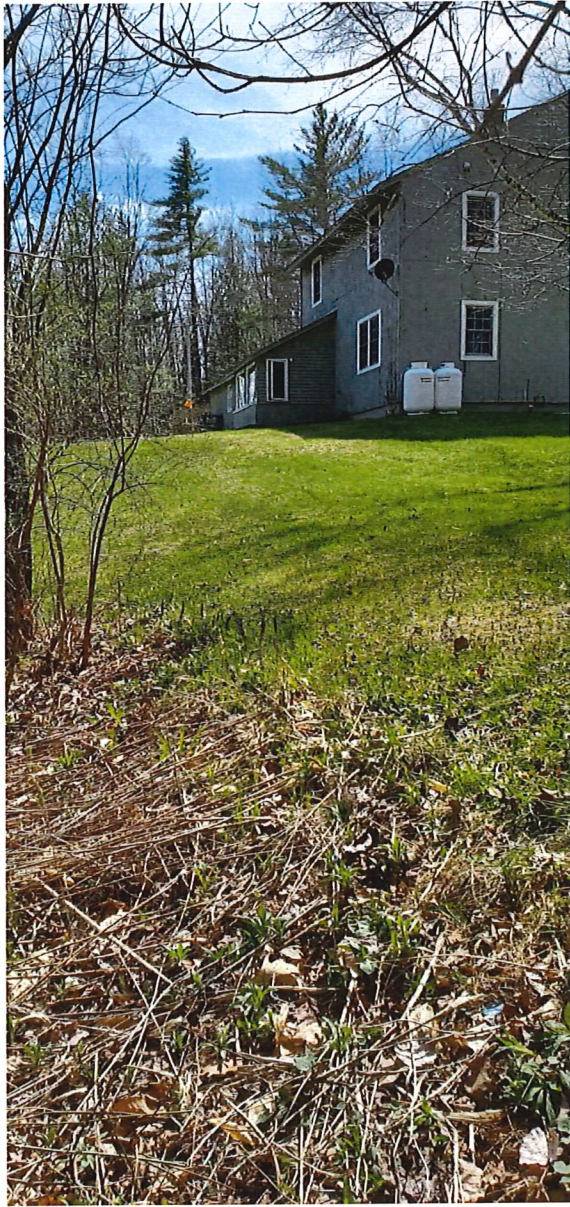
The purposes of the Wetlands Conservation District are to:

- A. *Preserve wetlands, which provide flood protection, recharge groundwater supply, augment stream flow during dry periods, provide wildlife habitat, and enhance water quality; and which are important for such other reasons as those cited in RSA 482-A:1.*
- B. *Prevent the development of structures and land uses on wetlands, which would contribute to the pollution of surface or ground water, disrupt wetland ecosystems, and damage property due to flooding.*
- C. *Prevent unnecessary or excessive expenses to the City of Lebanon for essential services and utilities because of the incompatible use of wetlands.*

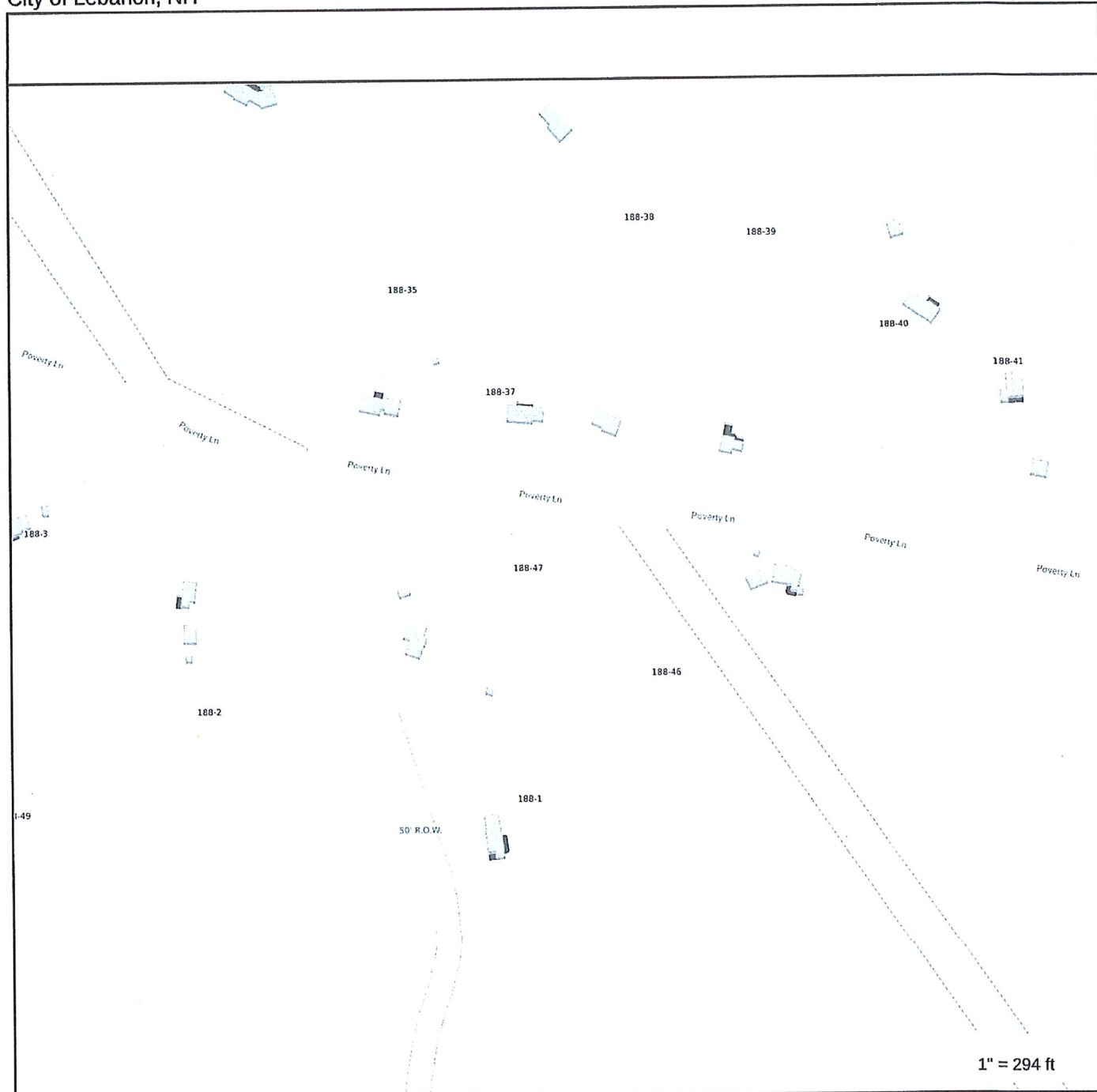
Wetlands Special Exception for 328 Poverty Lane

Article IV, 401.5

- A. All other directs to build off of the main house will either be closer to the high value wetlands buffer zone (northern side) or too close to the boundary lines (west side) to build an addition. The southern side on the house is where the garage is located and is poured directly on ledge. The closest point of the house to the high value wetlands is approximately 78' away or 22' into the buffer zone. The current sunroom is approximately 6' into the buffer. The new sunroom would be 13' into the buffer zone. See attached maps and drawings.
- B. The sunroom addition to the single family residence is normal use of the property.
- C. There will be 87' of flat to sloping grassed lawn between the addition and the high value wetlands. There are no signs of erosion from current runoff. The addition will not affect the wetlands itself but the buffer zone.
- D. No pipeline, powerlines, or other transmission lines will be installed.
- E. Correct
- F. The project does not require a State of NH Wetland Permit Application as it only impacts the wetland buffer zone.
- G. Yes, the sunroom construction will conform to existing best practice. Any disturbance to the lawn while under construction will be covered in hay and reseeded once the construction is finished.







MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Lebanon, NH makes no claims and no warranties,
expressed or implied, concerning the validity or accuracy of
the GIS data presented on this map.

Geometry updated 10/23/2018
Data updated 11/18/2018

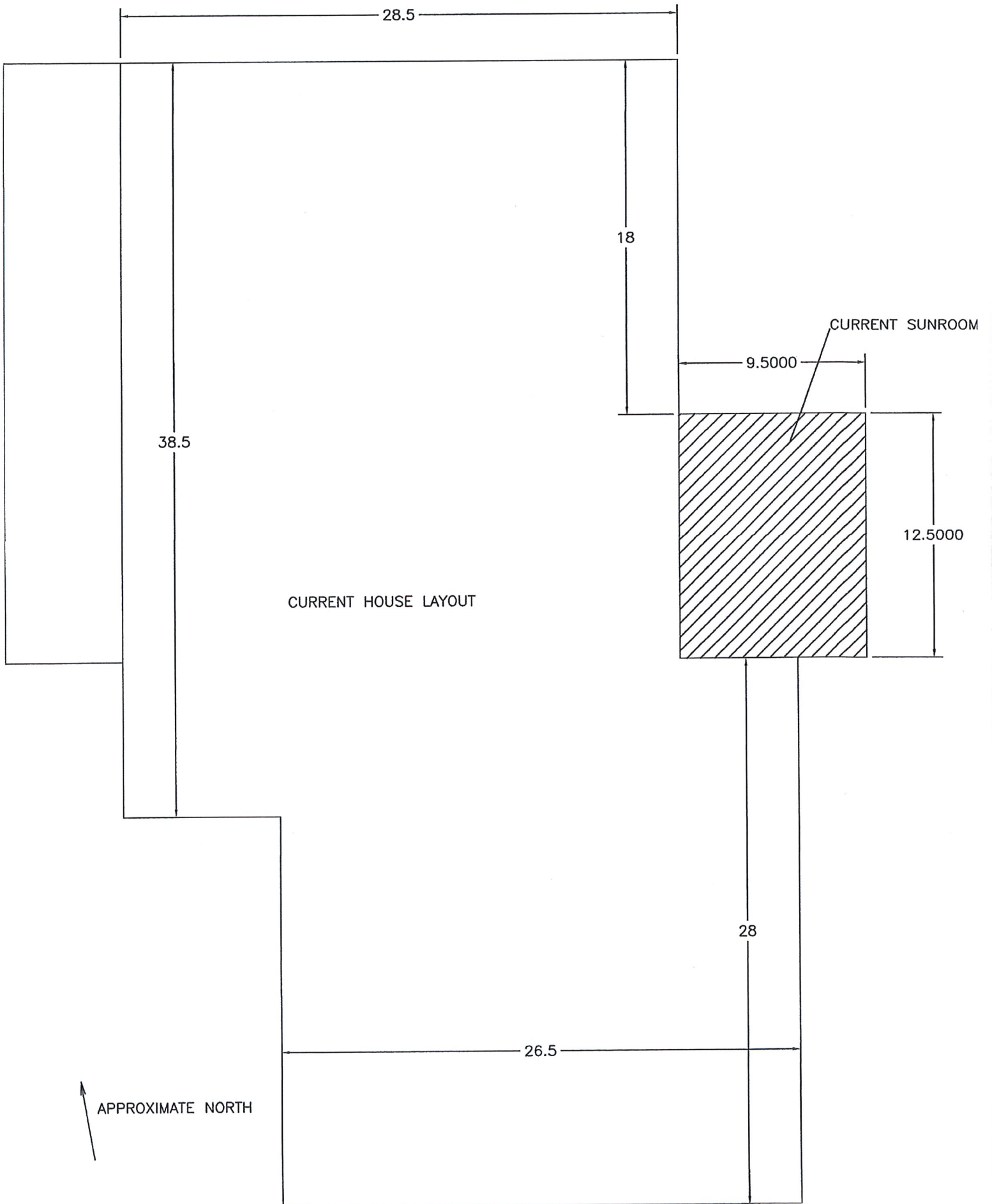
**Property Information**

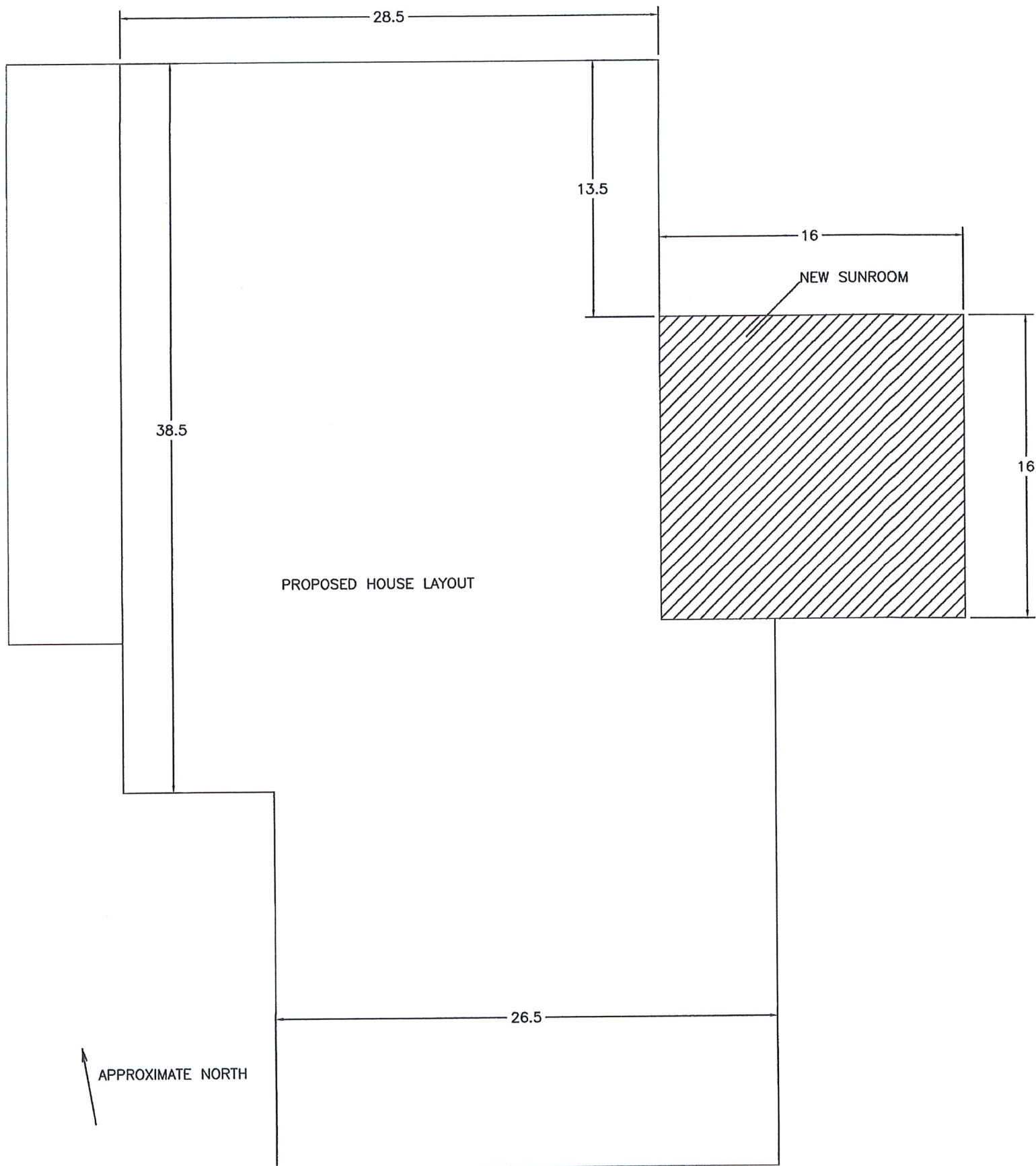
Property ID 188-47
Location 328 POVERTY LN
Owner YAROSHEVICH, JEROME M

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NOT A LEGAL DOCUMENT**

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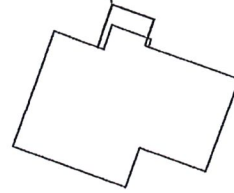
Geometry updated 10/23/2018
Data updated 11/18/2018





18847

Replacement addition



CERTIFIED NOTIFICATION LIST

THE CITY OF LEBANON IS REQUIRED UNDER NH RSA 672:3 TO NOTIFY THE FOLLOWING PERSONS OF PUBLIC HEARINGS BEFORE THE PLANNING BOARD: ALL ABUTTERS; THE APPLICANT; PROPERTY OWNER; HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR, OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

MAP & LOT NUMBER: <u>188-47</u>	MAP & LOT NUMBER: _____
PROPERTY OWNER: <i>Jerome Yuroshovich</i> <i>328 Poverty Ln</i>	APPLICANT:
MAP & LOT NUMBER: <u>188-48</u>	MAP & LOT NUMBER: <u>188-36</u>
ABUTTER/OTHER: <i>Allard, Stephanie</i> <i>317 Poverty Ln</i>	ABUTTER/OTHER: <i>Verasan, Brenda</i> <i>323 Poverty Ln</i>
MAP & LOT NUMBER: <u>188-49</u>	MAP & LOT NUMBER: <u>188-37</u>
ABUTTER/OTHER: <i>Casale, Patrick</i> <i>324 Poverty Ln</i>	ABUTTER/OTHER: <i>Shipman</i> <i>325 Poverty Ln</i>
MAP & LOT NUMBER: <u>188-1</u>	MAP & LOT NUMBER: <u>188-38</u>
ABUTTER/OTHER: <i>Mason</i> <i>330 Poverty Ln</i>	ABUTTER/OTHER: <i>Sullivan</i> <i>331 Poverty Ln</i>
MAP & LOT NUMBER: <u>188-39</u>	MAP & LOT NUMBER: <u>188-46</u>
ABUTTER/OTHER: <i>Willis</i> <i>335 Poverty Ln</i>	ABUTTER/OTHER: <i>Gahwartz</i> <i>338 Poverty Ln</i>
MAP & LOT NUMBER: <u>188-35</u>	MAP & LOT NUMBER: _____
ABUTTER/OTHER: <i>Hazlett</i> <i>319 Poverty Ln</i>	ABUTTER/OTHER:

**FEE SCHEDULE
ZONING BOARD OF ADJUSTMENT**

WETLANDS SPECIAL EXCEPTION:		
		TOTALS
FILING FEE	\$150.00	\$150.00
ADVERTISING FEE	\$35.00	\$35.00
NOTIFICATION FEE (SEE NOTE)	\$4.05 per certified notice x <u>10</u> notices	<u>640.50</u>
TOTAL DUE		\$ <u>225.50</u>

RIVERBANK SPECIAL EXCEPTION:		
		TOTALS
FILING FEE	\$150.00	\$150.00
ADVERTISING FEE	\$35.00	\$35.00
NOTIFICATION FEE (SEE NOTE)	\$4.05 per certified notice x _____ notices	
TOTAL DUE		\$ _____

NOTE - THE NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS; THE APPLICANT; PROPERTY OWNER; HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR, OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD.